



CAPITOL ADVOCATES

Legislative and Regulatory Advocacy

LEGISLATIVE UPDATE

To: High Speed Rail Committee

From: Ravi Mehta

Date: April 30, 2010

RE: Legislative Update: Pending legislation that directly or indirectly impacts the California High Speed Rail Project

April 23, 2010, was the last day for policy committees to hear and report to fiscal committees fiscal bills introduced in their house.

May 7, 2010 is the last day for policy committees to hear and report to the floor non-fiscal bills introduced in their house.

June 4, 2010 is the last day for bills to be passed out of the house of origin.

Subject to house rule waivers, any bills that are not passed out of the committees on the dates set forth above, or any bills that are not passed in the house of origin, will be considered DEAD.

Over the past few weeks, some CEQA bills were heard in committees, and most are now either dead or on their last breath. I do not anticipate that any of these bills will survive. However, as we have discussed, it is very possible that CEQA could become an issue during budget negotiations. We will vigilantly monitor the budget bills and the negotiations.

Many of the High Speed Rail bills were heard and approved in committees. Two significant changes occurred to Assembly Bills 289 and 1375 (Assemblywoman Galgiani's bills). Summary of the bills and salient amendments are provided below. I suggest a careful reading of each bill to appreciate the extent and significance of the amendments.

On April 22nd and 23rd representatives from the cities of Atherton, Burlingame, Menlo Park and Palo Alto met with Assembly members Gerry Hill and Ira Ruskin to express our concerns about the HSR Project as it is currently being considered, and to request that they, either individually or collectively, introduce legislation to that will ensure that the interests of the Peninsula cities are protected. Both Legislators expressed their desire to assist their constituents and we intend to follow-up with them on these issues.

As you know, the State Auditor's Report on the High Speed Rail Authority was released April 29, 2010. It was not complimentary and confirmed the many concerns we have collectively expressed. Senator Lowenthal, Chair of the Senate Transportation Committee, has scheduled a hearing for Tuesday, May 11, 2010 to discuss the Audit report. We should encourage as many elected officials and interested residents to attend the hearing to testify.

The foregoing are summaries and status of each bill (with the exception of budget bills) I believe affects HSR. I have suggested bill positions and the City should consider taking a formal position of Support, Support if Amended, Oppose, or Monitor for each bill. While we have submitted some letters, because some bills have been amended, we may want to consider writing new letters to address the amendments.

CEQA Legislation

AB 1805 (Calderon, Charles) Environment: California Environmental Quality Act (CEQA).

Current Text: Introduced: 2/10/2010 [pdf](#) [html](#)

Status: 4/19/2010-In committee: Hearing for testimony only.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

Summary: The bill would enact the CEQA Litigation Protection Pilot Program of 2010 and would require the Business, Transportation and Housing Agency to select projects that meet specified requirements from specified regions for each calendar year between 2010 and 2014. The bill would exempt from judicial review, pursuant to CEQA, a lead agency's decision to certify the EIR of, or to adopt a mitigated negative declaration based on an initial study for, the selected projects, a lead agency's and responsible agency's approval of the selected project, and the Business, Transportation and Housing Agency's selection of the projects. The bill would require the Business, Transportation and Housing Agency, by December 31 of each year, to submit an annual report to the Governor and to the Legislature summarizing the designation of projects, and the job creation and investment attributable to the designated projects. This bill contains other related provisions.

Recommended Position: Oppose. This bill is effectively dead.

AB 2713 (Knight) Environment: CEQA.

Current Text: Introduced: 2/19/2010 [pdf](#) [html](#)

Status: 2/22/2010-Read first time.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

Summary: The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report (EIR) on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. The CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment. This bill would make technical, non-substantive changes to the CEQA.

Recommended Position: Watch. This bill is effectively dead.

SB 879 (Cox) Construction projects: alternative bidding procedures: design-build.

Current Text: Amended: 4/26/2010 [pdf](#) [html](#)

Status: 4/26/2010-Read second time. Amended. Re-referred to Com. on APPR.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chapters
Dead	1st House				2nd House				Conc.			

Calendar:

5/10/2010 11 a.m. - John L. Burton Hearing Room (4203)
SENATE APPROPRIATIONS, KEHOE, Chair

Summary: Existing law authorizes counties to use alternative procedures, known as design-build, for bidding on construction projects in the county in excess of \$2,500,000, in accordance with specified procedures. Each county that elects to use the design-build method on a public works project is required to submit a report to the Legislative Analyst's Office before December 1, 2009, containing a description of each public works project procured through the design-build process and completed after November 1, 2004, and before November 1, 2009. Existing law also requires the Legislative Analyst, on or before January 1, 2010, to report to the Legislature on the use of the design-build method by counties. This bill would instead authorize counties to use these alternative procedures, known as design-build, for bidding on construction projects in the county in excess of \$1,000,000, and would make various changes in the procedures required for the use of design-build by those counties, as specified. The bill would also revise those reporting provisions to require each county electing to use the design-build method on a public works project to submit to the Legislative Analyst's Office before December 1, 2014, a report containing a description of each public works project procured through the design-build process and completed after November 1, 2009, and before November 1, 2014.

Votes:

04/19/2010 SEN. L.GOV. (Y:3 N:2 A:0) (P)

Recommended Position: Watch

ABX8 37 (Calderon, Charles) Environment: California Environmental Quality Act (CEQA).

Current Text: Introduced: 2/10/2010 [pdf](#) [html](#)

Status: 3/11/2010-Died at Desk.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
	1st House				2nd House				Conc.			

Summary: This bill would enact the CEQA Litigation Protection Pilot Program of 2010 and would require the Business, Transportation and Housing Agency to select projects that meet specified requirements from specified regions for each calendar year between 2010 and 2014. The bill would exempt from judicial review, pursuant to CEQA, a lead agency's decision to certify the EIR of, or to adopt a mitigated negative declaration based on an initial study for, the selected projects, a lead agency's and responsible agency's approval of the selected project, and the Business, Transportation and Housing Agency's selection of the projects. The bill would require the Business, Transportation and Housing Agency, by December 31 of each year, to submit an annual report to the Governor and to the Legislature summarizing the designation of projects, and the job creation and investment attributable to the designated projects. This bill contains other related provisions and other existing laws.

Recommended Position: Dead

SB 976 (Hollingsworth) California Environmental Quality Act: exemption.

Current Text: Amended: 3/22/2010 [pdf](#) [html](#)

Status: 4/19/2010-Set, first hearing. Failed passage in committee. (Ayes 2. Noes 4. Page 3299.)

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
	1st House				2nd House				Conc.			

Summary: This bill would exempt from those CEQA requirements the expansion of an existing overpass, onramp, or offramp that is built on an easement or right-of-way under the control of a state or local transportation agency, or a city, county, or city and county. By imposing new duties on local governments with respect to determining whether that exemption is applicable to specified highway expansion projects, the bill would impose a state-mandated local program.

Recommended Position: Oppose

Votes:

04/19/2010 SEN. E.Q. (Y:2 N:5 A:0) (F)

SB 1010 (Correa) Environment: California Environmental Quality Act (CEQA).

Current Text: Introduced: 2/10/2010 [pdf](#) [html](#)

Status: 4/5/2010-Set, first hearing. Failed passage in committee. (Ayes 2. Noes 4. Page 3083.) Reconsideration granted.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

Summary: The bill would enact the CEQA Litigation Protection Pilot Program of 2010 and would require the Business, Transportation and Housing Agency to select projects that meet specified requirements from specified regions for each calendar year between 2010 and 2014. The bill would exempt from judicial review, pursuant to CEQA, a lead agency's decision to certify the EIR of, or to adopt a mitigated negative declaration based on an initial study for, the selected projects, a lead agency's and responsible agency's approval of the selected project, and the Business, Transportation and Housing Agency's selection of the projects. The bill would require the Business, Transportation and Housing Agency, by December 31 of each year, to submit an annual report to the Governor and to the Legislature summarizing the designation of projects, and the job creation and investment attributable to the designated projects.

Recommended Position: Oppose. This bill is effectively dead.

Votes:

04/05/2010 SEN. E.Q. (Y:6 N:1 A:0) (P)

04/05/2010 SEN. E.Q. (Y:2 N:5 A:0) (F)

SB 1012 (Runner) Environmental quality: California Environmental Quality Act:(CEQA).

Current Text: Introduced: 2/10/2010 [pdf](#) [html](#)

Status: 2/18/2010-To Com. on RULES.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

Summary: The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared by contract, and certify the completion of, an environmental impact report on a project, as defined, that it proposes to carry out or approve that may have a significant effect on the environment, or to adopt a negative declaration if it finds that the project will not have that effect. This bill would make technical, non-substantive changes to those provisions.

Recommended Position: Watch

SB 1261 (Ashburn) Environment: California Environmental Quality Act: expedited review.

Current Text: Introduced: 2/19/2010 [pdf](#) [html](#)

Status: 3/4/2010-To Com. on RULES.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.			
Dead	1st House				2nd House				Conc.	Enrolled	Vetoed	Chaptered

Summary: This bill would state the intent of the Legislature to enact legislation establishing a fast track environmental review process that maintains current environmental protection while expediting the review of projects related to green or renewable industries that will create jobs in the state.

Recommended Position: Oppose

SBX8 42 (Correa) Environment: California Environmental Quality Act (CEQA).

Status: 3/15/2010-Final adjournment: Eighth Extraordinary Session on 3/15/2010. (Last location was E.Q. on 2/10/2010)

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.			
Dead	1st House				2nd House				Conc.	Enrolled	Vetoed	Chaptered

Summary: The bill would enact the CEQA Litigation Protection Pilot Program of 2010 and would require the Business, Transportation and Housing Agency to select projects that meet specified requirements from specified regions for each calendar years between 2010 and 2014. The bill would exempt from judicial review, pursuant to CEQA, a lead agency's decision to certify the EIR of, or to adopt a mitigated negative declaration based on an initial study for, the selected projects, a lead agency's and responsible agency's approval of the selected project, and the Business, Transportation and Housing Agency' s selection of the projects. The bill would require the Business, Transportation and Housing Agency, by December 31 of each year, to submit an annual report to the Governor and to the Legislature summarizing the designation of projects, and the job creation and investment attributable to the designated projects. This bill contains other related provisions and other existing laws.

Recommended Position: Dead

SBX8 56 (Hollingsworth) Environmental Quality: CEQA: exemption: critical infrastructure projects.

Current Text: Introduced: 2/12/2010 [pdf](#) [html](#)

Status: 3/15/2010-Final adjournment: Eighth Extraordinary Session on 3/15/2010. (Last location was E.Q. on 2/23/2010)

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Summary: This bill would exempt from CEQA a critical infrastructure project, which would include, among other projects, projects funded under the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006 or the Disaster Preparedness and Flood Prevention Bond Act of 2006. The bill would provide that this exemption applies retroactively. Because a permitting agency, which includes a local agency, would be required to determine the applicability of, and to give notice of, that exemption, this bill would create a state-mandated local program. This bill contains other related provisions and other existing laws.

Recommended Position: Dead

High Speed Rail Legislation

AB 153 (Ma) High-Speed Rail Authority.

Current Text: Introduced: 1/23/2009 [pdf](#) [html](#)

Status: 7/2/2009-In committee: Set, first hearing. Hearing canceled at the request of author.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Summary: This bill would eliminate those contingencies to the exercise of the authority's authority and would specify that the authority constitutes a "governing body" for the purpose of adopting a resolution of necessity. The bill would authorize the authority to employ its own legal staff or contract with other state agencies for legal services, or both. This bill contains other related provisions and other existing laws.

Vote Events:

05/11/2009 ASM. FLOOR (Y:53 N:16 A:11) (P)
04/29/2009 ASM. APPR. (Y:11 N:5 A:0) (P)
04/14/2009 ASM. JUD. (Y:7 N:2 A:1) (P)
03/23/2009 ASM. TRANS. (Y:8 N:0 A:5) (P)

Recommended Position: Watch

AB 289 (Galgiani) High-speed rail.

Current Text: Amended: 4/21/2010 [pdf](#) [html](#)

Last Amended: 4/21/2010

Status: 4/21/2010-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on T. & H.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf. Conc.	Enrolled	Vetoed	Chaptered
	1st House				2nd House							

Summary: Existing law, the California High-Speed Rail Act, creates the High-Speed Rail Authority to develop and implement a high-speed rail system in the state, with specified powers and duties. Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, approved by the voters as Proposition 1A at the November 4, 2008, general election, provides for the issuance of \$9.95 billion in general obligation bonds for high-speed rail and related purposes. Existing law provides for appointment of an executive director by the authority, who is exempt from civil service and serves at the pleasure of the authority. This bill would authorize the Governor to appoint up to 5 deputy directors exempt from civil service who would serve at the pleasure of the executive director. This bill contains other related provisions and other existing laws.

This bill would appropriate \$2.25 billion to the authority from federal ARRA funds awarded to the state for high-speed rail purposes and would identify the corridors eligible for those funds. The bill would require the authority to take those actions necessary to ensure that the federal funds are used and expended in a manner that meets all applicable federal guidelines, make the most efficient use of available state bond funds, and are expended and used consistent with current state law. The bill would require the authority to report to the Director of Finance and the Legislature relative to the expenditure plan for ARRA funds. The bill would require the authority to include in its business plan an estimate of jobs created in each corridor. The bill would state the intent of the Legislature to establish an inspector general to oversee the fiscal functions of the authority.

SIGNIFICANT AMENDMENTS:

SEC. 5. Section 185036.5 is added to the Public Utilities Code , to read:

185036.5. (a) The Legislature hereby appropriates to the authority the sum of two billion two hundred fifty million dollars (\$2,250,000,000) made available to the state for high-speed rail purposes pursuant to Title XII of Division A of the American Recovery and Reinvestment Act of 2009 (ARRA). The authority may expend these funds for the purposes of developing a project or projects on the high-speed rail network consistent with this section.

(b) The federal funds appropriated in subdivision (a) shall be available for obligation and expenditure by the dates specified in the federal requirements implementing the federal act. The authority shall take those actions necessary to ensure the federal funds awarded to it (1) are expended and used in a manner that meets all applicable federal guidelines, (2) make the most efficient use of available state bond funds, including replacing bond funds for project expenditure with available federal funds where feasible, and (3) are expended and used consistent with state law.

(c) The authority shall consider actions that (1) maximize job creation in California at

the earliest feasible time and (2) expedite the completion of vital infrastructure projects that improve rail safety, mobility, and performance.

(d) (1) The ARRA funds appropriated in subdivision (a) are available for preliminary engineering, project-level environmental work, mitigation, final design, and construction for the following corridors that were approved by the Federal Railroad Administration (FRA), without reference to any individual corridor or corridors:

- (A) San Francisco to San Jose.*
- (B) Merced to Fresno.*
- (C) Fresno to Bakersfield.*
- (D) Los Angeles to Anaheim.*

(2) The ARRA funds appropriated in subdivision (a) are also available for preliminary engineering and project-level environmental work for the following five corridors, without reference to any individual corridor or corridors:

- (A) Los Angeles to San Diego.*
- (B) Los Angeles to Palmdale.*
- (C) Palmdale to Bakersfield.*
- (D) Merced to San Jose.*
- (E) Sacramento to Merced.*

(e) (1) The authority shall work with the FRA to establish priorities among the four corridor programs in paragraph (1) of subdivision (d) and, if applicable, for the five corridor programs in paragraph (2) of subdivision (d), and to create a plan for expenditure of ARRA funds appropriated in subdivision (a).

(2) No later than 30 days following the submittal of the initial plan for expenditure of ARRA funds to the FRA, the authority shall submit a copy of the plan to the Director of Finance and to the policy committees with jurisdiction over transportation matters and the fiscal committees in both houses of the Legislature.

(3) All funds appropriated pursuant to subdivision (a) shall be expended in a manner that is consistent with and subject to the requirements of Section 2704.08 of the Streets and Highways Code applicable to bond proceeds, to the extent those requirements are consistent with the federal conditions applicable to expenditure of the funds.

(f) It is the intent of the Legislature to establish an inspector general to oversee the fiscal functions of the authority to ensure public confidence and private investor confidence in the fiscal management and construction of the project. The inspector general would report to the authority and Legislature annually.

Votes:

05/18/2009 ASM. FLOOR (Y:72 N:3 A:5) (P)
04/27/2009 ASM. TRANS. (Y:13 N:0 A:1) (P)

Recommended Position: Oppose

AB 1375 (Galgiani) High-speed rail.

Current Text: Amended: 4/21/2010 [pdf](#) [html](#)

Last Amended: 4/21/2010

Status: 4/21/2010-From committee chair, with author's amendments: Amend, and re-refer to committee. Read second time, amended, and re-referred to Com. on TRANS.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

Summary: The bill would continue the High-Speed Rail Authority in existence to make policy decisions relative to implementation of high-speed rail consistent with Proposition 1A.

The bill would create the Department of High-Speed Trains within the Business, Transportation and Housing Agency, which would implement those policies.

The bill would transfer certain of the existing powers and responsibilities of the authority to the department and would specify additional powers and duties of the authority and department relative to implementation of the high-speed rail project, including the annual submission of a 6-year high-speed train capital improvement program and progress report to the Legislature.

The director of the department would be appointed by the Governor, who would serve at the pleasure of the authority, and the Governor would be authorized to appoint up to 10 executive employees of the department who would be exempt from civil service and serve at the pleasure of the director.

The bill would provide for acquisition and disposition by the department of rights-of-way for the high-speed rail project. The bill would enact other related provisions.

SOME OF THE SIGNIFICANT AMENDMENTS:

(a) The department shall establish an independent peer review group for the purpose of reviewing the planning, engineering, financing, and other elements of the authority's plans and issuing an analysis of appropriateness and accuracy of the department's assumptions and an analysis of the viability of the department's financing plan, including the funding plan for each corridor required pursuant to subdivision (b) of Section 2704.08 of the Streets and Highways Code.

(b) The peer review group shall include all of the following:

(1) Two individuals with experience in the construction or operation of high-speed trains in Europe, Asia, or both, designated by the Treasurer.

(2) Two individuals, one with experience in engineering and construction of high-speed trains and one with experience in project finance, designated by the Controller.

(3) One representative from a financial services or financial consulting firm who shall not have been a contractor or subcontractor of the authority for the previous three years, designated by the Director of Finance.

(4) One representative with experience in environmental planning, designated by the secretary.

(5) Two expert representatives from agencies providing intercity or commuter passenger train services in California, designated by the secretary.

(c) The peer review group shall evaluate the department's funding plans and prepare its independent judgment as to the feasibility and reasonableness of the plans, appropriateness of assumptions, analyses, and estimates, and any other observations or evaluations it deems necessary.

(d) The department shall provide the peer review group any and all information that the peer review group may request to carry out its responsibilities.

(e) The peer review group shall report its findings and conclusions to the Legislature no later than 60 days after receiving the plans.

Votes:

01/27/2010 ASM. FLOOR (Y:42 N:20 A:16) (P)

01/21/2010 ASM. APPR. (Y:12 N:5 A:0) (P)

04/27/2009 ASM. TRANS. (Y:9 N:4 A:1) (P)

Recommended Position: Oppose

AB 1747 (Galgiani) High-Speed Rail Authority.

Current Text: Amended: 4/14/2010 [pdf](#) [html](#)

Last Amended: 4/14/2010

Status: 4/22/2010-Read second time. To third reading.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

Calendar:

5/3/2010 ASSEMBLY FLOOR -- THIRD READING FILE

Summary: Existing law creates the High-Speed Rail Authority with specified

powers and duties relating to the development and implementation of an intercity high-speed rail system. Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, authorizes \$9.95 billion in general obligation bonds for high-speed rail development and other related purposes. This bill would authorize the authority to do any of the following: (a) Enter into contracts with private or public entities for the design, construction and operation of high-speed trains. The contracts may be separated into individual tasks or segments or may include all tasks and segments, including a design-build or design-build-operate contract. (b) Acquire rights-of-way through purchase or eminent domain. (c) Issue debt, secured by pledges of state funds, federal grants, or project revenues. The pledge of state funds shall be limited to those funds expressly authorized by statute or voter-approved initiatives. (d) Enter into cooperative or joint development agreements with local governments or private entities. (e) Set fares and schedules. (f) Relocate highways and utilities. (g) Consider, to the extent permitted by federal law and all other applicable provisions of state law, the creation of jobs in California when awarding major contracts or purchasing high-speed trains and related equipment and supplies, authorize the authority to consider, to the extent permitted by federal and state law, the creation of jobs in California when awarding major contracts or purchasing high-speed trains, as specified.

Votes:

04/21/2010 ASM. APPR. (Y:15 N:1 A:1) (P)
 04/05/2010 ASM. TRANS. (Y:13 N:1 A:0) (P)

Recommended Position: Oppose

AB 1830 (Galgiani) High-Speed Rail Authority.

Current Text: Amended: 4/8/2010 [pdf](#) [html](#)

Last Amended: 4/8/2010

Status: 4/22/2010-Read second time. To third reading.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

Calendar:

5/3/2010 ASSEMBLY FLOOR -- THIRD READING FILE

Summary: Existing law creates the High-Speed Rail Authority with specified powers and duties relating to the development and implementation of an intercity high-speed rail system. Existing law, pursuant to the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, authorizes \$9.95 billion in general obligation bonds for high-speed rail development and other related purposes. This bill would require the authority to make every effort to purchase high-speed train rolling stock and related equipment that are manufactured in California.

Recommended Position: Watch

AB 2121 (Harkey) High-speed rail Authority.

Current Text: Amended: 4/28/2010 [pdf](#) [html](#)

Last Amended: 4/28/2010

Status: 4/29/2010-Re-referred to Com. on APPR.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

Summary: This bill would require the authority to annually adopt a 6-year high-speed train program, as specified, for submission to the Legislature and the Governor. The bill would also require the authority to annually prepare and submit to the Legislature and the Governor a report including, among other things, a description of the progress made on the program and a detailed financing plan to pay for construction of the high-speed train network.

Votes:

04/19/2010 ASM. TRANS. (Y:13 N:0 A:1) (P)

Recommended Position: Watch/Support

SB 409 (Ducheny) Passenger rail programs: strategic planning.

Current Text: Amended: 1/26/2010 [pdf](#) [html](#)

Last Amended: 1/26/2010

Status: 2/11/2010-To Com. on TRANS.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

Summary: Existing law creates the Department of Transportation in the Business, Transportation and Housing Agency, with various powers and duties relative to the intercity passenger rail program, among other transportation programs. Existing law creates in state government the High-Speed Rail Authority, with various powers and duties relative to development and implementation of a high-speed passenger train system. The authority has 9 members, 5 appointed by the Governor and 4 appointed by the Legislature. Existing law also creates in state government the California Transportation Commission, with various powers and duties relative to programming of transportation capital projects and assisting the Secretary of Business, Transportation and Housing in formulating state transportation policies. This bill would place the High-Speed Rail Authority within the Business, Transportation and Housing Agency. The bill would require the 5 members of the authority appointed by the Governor to be appointed with the advice and consent of the Senate. The bill would require the authority to annually submit a funding plan to the California Transportation Commission for approval, identifying the need for investments during

the fiscal year and the amount of bond sales necessary to accommodate those investments. This bill contains other related provisions.

Vote Events:

01/28/2010 SEN. FLOOR (Y:32 N:0 A:8) (P)
08/27/2009 SEN. APPR. (Y:13 N:0 A:0) (P)
07/23/2009 SEN. APPR. (Y:13 N:0 A:0) (P)
06/09/2009 SEN. T. & H. (Y:10 N:0 A:1) (P)

Recommended Position: Oppose unless Amended

SB 455 (Lowenthal) High-speed rail.

Current Text: Amended: 4/16/2009 [pdf](#) [html](#)

Last Amended: 4/16/2009

Status: 7/24/2009-Placed on inactive file on request of Assembly Member Torrico.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

Summary: Existing law creates the High-Speed Rail Authority with specified powers and duties relative to development and implementation of a high-speed train system. The authority is composed of 9 members, including 5 members appointed by the Governor. This bill would provide that the members of the authority appointed by the Governor are subject to appointment with the advice and consent of the Senate. The bill would require the members of the authority, at a scheduled board meeting, to cause to be prepared an overall project schedule with project delivery milestones on a quarterly basis, and to approve a quarterly contract status report, beginning at the first board meeting after March 1, 2010. The bill would also require the members of the authority to approve all contract amendments at a scheduled board meeting. This bill contains other related provisions and other existing laws.

Vote Events:

07/15/2009 ASM. APPR. (Y:11 N:5 A:1) (P)
06/29/2009 ASM. TRANS. (Y:10 N:4 A:0) (P)
06/02/2009 SEN. FLOOR (Y:32 N:5 A:3) (P)
05/26/2009 SEN. APPR. (Y:9 N:4 A:0) (P)
04/21/2009 SEN. T. & H. (Y:10 N:1 A:0) (P)

Recommended Position: Watch

SB 964 (Alquist) Workforce development program: high-speed rail.

Current Text: Amended: 4/22/2010 [pdf](#) [html](#)

Last Amended: 4/22/2010

Status: 4/26/2010-Withdrawn from committee. Re-referred to Com. on APPR. Placed on APPR suspense file.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

Summary: This bill would require the authority to contract with the California Community Colleges Chancellor's office to develop a labor market assessment of the workforce and identify the education and skills needed for high-speed rail, and to develop a comprehensive workforce training and certification program or programs to facilitate the availability of that workforce. The bill would require the authority and the chancellor's office to form a Jobs Advisory Task Force, as specified, to advise the authority and the chancellor's office on the establishment and operation of training and certification programs required to produce an adequate skilled workforce for this project. The bill would require the labor market assessment to be incorporated into the authority's biennial revised business plan. This bill contains other related provisions.

Votes:

04/26/2010 SEN. APPR. (Y:9 N:2 A:0) (P)

04/20/2010 SEN. T. & H. (Y:6 N:3 A:0) (P)

Recommended Position: Watch. This bill is effectively dead.

SB 965 (DeSaulnier) High-speed rail.

Current Text: Amended: 4/7/2010 [pdf](#) [html](#)

Last Amended: 4/7/2010

Status: 4/29/2010-In Assembly. Read first time. Held at Desk.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

Summary: This bill, subject to appropriation by the Legislature, would authorize the HSR Authority to expend federal funds made available by the federal American Recovery and Reinvestment Act (ARRA) for high-speed rail purposes. The bill would require the authority to take various actions in that regard. The bill would also require the authority to submit to the Legislature an expenditure plan for the federal funds within 60 days of enactment of this act or upon finalization of a cooperative agreement with the federal government, whichever occurs later, and to submit a progress report on expenditure of the funds to the Legislature on the following December 31 and annually thereafter. The bill would make legislative findings and declarations relative to the award of federal funds to the state by ARRA for high-speed rail purposes. The bill would exempt the Transbay Terminal project in San Francisco from these provisions if ARRA funds are made available to the Transbay Joint Powers Authority for that project.

Votes:

04/29/2010 SEN. FLOOR (Y:26 N:13 A:0) (P)
 04/26/2010 SEN. APPR. (Y: 8 N: 3 A:0) (P)
 04/13/2010 SEN. T. & H. (Y: 8 N: 1 A:0) (P)

Recommended Position: Oppose**SB 1371 (Lowenthal) Federal transportation economic stimulus funds: 2nd round.****Current Text:** Introduced: 2/19/2010 [pdf](#) [html](#)

Status: 4/21/2010-From committee: Do pass, but first be re-referred to Com. on APPR with recommendation: To Consent Calendar. (Ayes 8. Noes 0. Page 3311.) Re-referred to Com. on APPR.

2Year	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
Dead	1st House				2nd House				Conc.			

Calendar:

5/3/2010 11 a.m. - John L. Burton Hearing Room (4203)
 SENATE APPROPRIATIONS, KEHOE, Chair

Summary: Existing law generally provides for programming and allocation of state and federal transportation capital improvement program funds pursuant to the state transportation improvement program process administered by the California Transportation Commission. Under these provisions, 25% of available funds are available for interregional improvement projects nominated by the Department of Transportation, subject to a requirement that 60% of these funds be available for projects in non-urbanized areas on the interregional road system and for intercity rail projects. The remaining 75% of available funds are available for regional improvement projects nominated by regional agencies. All funds programmed through the state transportation improvement program process are subject to the north-south split, and the regional improvement funds are further subject to the county shares formula. This bill would require the Department of Transportation to work with local transportation agencies to develop a list of potential projects that may be awarded within a 90-day period of the award to the state of 2nd round federal transportation economic stimulus funds. The bill would require the department to submit a monthly status report to the Legislature, as specified, with respect to certain milestones for expenditure of these funds.

Recommended Position: Watch

SBX8 36 (Lowenthal) Federal transportation economic stimulus funds: 2nd round.

Current Text: Introduced: 2/5/2010 [pdf](#) [html](#)

Status: 3/15/2010-Final adjournment: Eighth Extraordinary Session on 3/15/2010.

2Year Dead	Desk	Policy	Fiscal	Floor	Desk	Policy	Fiscal	Floor	Conf.	Enrolled	Vetoed	Chaptered
	1st House				2nd House				Conc.			

Summary: Existing law generally provides for programming and allocation of state and federal transportation capital improvement program funds pursuant to the state transportation improvement program process administered by the California Transportation Commission. Under these provisions, 25% of available funds are available for interregional improvement projects nominated by the Department of Transportation, subject to a requirement that 60% of these funds be available for projects in non-urbanized areas on the interregional road system and for intercity rail projects. The remaining 75% of available funds are available for regional improvement projects nominated by regional agencies. All funds programmed through the state transportation improvement program process are subject to the north-south split, and the regional improvement funds are further subject to the county shares formula. This bill would require the Department of Transportation to work with local transportation agencies to develop a list of potential projects that may be awarded within a 90-day period of the award to the state of 2nd round federal transportation economic stimulus funds. The bill would require the department to submit a monthly status report to the Legislature, as specified, with respect to certain milestones for expenditure of these funds. The bill would make related legislative findings and declarations.

Recommended Position: DEAD